

REVOKES TIERNAN'S DIVORCE

TIGER BECOMES REAL FOOTBALL FAN AT CLASSIC

French War Premier Receives Round Ovation at New Haven Struggle.

IS GUEST OF DR. ANGELL

Shows Impartiality—Jestingly Says Cheerers Take Mind Off Game.

NEW HAVEN, Conn., Nov. 25.—(By A. P.)—Commenting on the British embassy's statement concerning the sinking of the German fleet at Scapa Flow, Georges Clemenceau said tonight that he had not charged Great Britain with "willfully" permitting the war ships to be sunk.

"The German ships were turned over to the control of the British and the German crews sank them," he said.

He declined to amplify the statement further, which he made in the Metropolitan opera house address.

NEW HAVEN, Conn., Nov. 25.—(By A. P.)—The Tiger of France today became a dyed-in-the-wool football fan.

Brushing aside protestations of danger to his health, Clemenceau cut short his stay in Boston, where he spoke yesterday, and hurrying to New Haven, joined the 75,000 rooters who saw Harvard defeat Yale in their great annual clash. At the finish he declared it was "magnificent."

"My only criticism," he added, "is that the cheerers make so much noise, and such interesting noise, that it takes your mind off the game."

The French war premier's special car arrived from Boston at the tail of a football special, shortly after 1 o'clock. Greeted by Pres. James R. Angell, of Yale, he motored at once to the Yale Hotel and took his seat for the first half on the Harvard side.

Few in the crowd knew he was coming, so suddenly had he made the decision, but when he was recognized he received a noisy ovation. He took his seat on the Harvard side with a crimson feather in his hand, but he did not sit long.

Time after time he leaped to his feet with the rest of the crowd and his eyes snapped with excitement.

Plunges Arms Like Windmill.

When Hallock Owen of Harvard broke loose in the first period for the long run that proved the key for the Crimson's first score, the movie men caught him leaping up and down with both his arms going like windmills. His excitement increased again in the last period when Yale opened wide her armor in an effort to tie the score.

Although he jestingly criticized the cheering sections, Clemenceau evidenced the keenest interest in the cheers.

"Don," he said when the Yale clearing section broke out, the blue and white handkerchiefs to form a gigantic Yale. Between the halves Clemenceau crossed to the Yale side of the field, ignoring the objection of his conductors, who told him it would be colder on the Yale side, because he would have the sinking sun at his back.

"I am impartial," he said. He walked slowly across the gridiron with head held while the Yale students, led by their band, sang the Nuptial Song. As he passed, the stands gave him a "brek-ek-ek-ek-ek-ek" with three "tigers" at the end, and he laughed delightedly, waving his hat at the crowd.

Is Enroute to Chicago.

After the game, Clemenceau drove to the home of Pres. James R. Angell of Yale, for tea. Dr. Arthur T. Hadley, president emeritus, met him there and presented him, on behalf of Yale, with a gold medal.

When the Tiger drove back to his car, he was surrounded by a crowd of admirers. He was seen at 4 o'clock tomorrow night for the first time in his trip to New York, where he is to deliver the next address of his American tour.

Then the Tiger drove back to his in New York all day. No program for the day has been announced, but it is known that he plans to visit Grant's tomb and lay a wreath there, probably in the afternoon.

1,500 K. K. JOIN IN BIG MARION INITIATION

MARION, Ind., Nov. 25.—(By A. P.)—Fifteen hundred members of the Ku Klux Klan, led by three bands, and bearing three fiery crosses paraded the streets of Marion tonight, later congregating one mile east of the city where initiation ceremonies were conducted. The parade was orderly and was witnessed by hundreds of persons.

Indiana: Generally fair Sunday and Monday; rising temperature Sunday. Lower: (Chicago): Mostly cloudy Sunday and Monday with probably light snow Friday; somewhat warmer Sunday.

Kiss Burglar Is Freed Of Assault Charge On Girl

BIRMINGHAM, Ala., Nov. 25.—Eighteen-year-old Lee Johnson, 25, was freed of a charge of assault brought by the mother of his 16 year old sweetheart, Viola Crenshaw.

Viola, blushing and with drooping eyes, admitted Lee had stolen a kiss. "I saw it and she was struggling to keep him from kissing her," Mrs. Crenshaw declared.

"Shucks," said Judge H. B. Abernathy, "they always struggle. A boy doesn't enjoy kissing a girl when it is too easy."

"I just kissed her—that was all," said Lee.

"He admitted he kissed her once previously during a four month courtship."

"Slow work," commented the judge and the boy gave serious assent.

AGED WOMAN DIES FROM SHOCK WHEN STRUCK BY MACHINE

Mrs. Ellen Knolton, Recently Adopted as Grandmother, Victim of Motorist.

ELKHART, Ind., Nov. 25.—(Special)—Ellen Knolton, 75 years old, who was recently adopted as a grandmother because of her destitute circumstances, died here today from injuries received when she was struck by a Ford automobile driven by an unknown motorist.

Mrs. Knolton was on an errand in the city at 11:30 o'clock this morning when she met with the fatal accident. She was rushed to the Elkhart Central hospital, where her death occurred 29 minutes later. Death was due to shock, Coroner Eugene Holderman declared, after making an examination, adding that the aged victim had received only a scalp wound in the accident, which occurred at Main and Tyler sts.

The driver of the Ford, remained on the scene of the accident only until his victim had been sent in a car to the hospital, where her death occurred 29 minutes later. Death was due to shock, Coroner Eugene Holderman declared, after making an examination, adding that the aged victim had received only a scalp wound in the accident, which occurred at Main and Tyler sts.

The driver of the Ford, remained on the scene of the accident only until his victim had been sent in a car to the hospital, where her death occurred 29 minutes later. Death was due to shock, Coroner Eugene Holderman declared, after making an examination, adding that the aged victim had received only a scalp wound in the accident, which occurred at Main and Tyler sts.

Adopted as Grandmother.

Mrs. Knolton was born at Galveston, Ind., and came to Elkhart about 25 years ago. Following her retirement as a professional nurse, until a few days ago, when Mrs. Lillian McBeth, of 129 St. Joe st., adopted her as a grandmother and took her into her home, she had the 125th St. Joe st. Mrs. McBeth asserted that Mrs. Knolton, her new grandmother, had been on an errand for some curtain rods, and at the time of the accident, Mrs. Knolton was returning to exchange one curtain rod for another.

Mrs. Knolton's life had been one of hardships and sorrows. Mrs. McBeth said. She was twice married, her first husband having been Oscar Knolton. Three children were born, John, Fred and Nettie. Charles died after the death of her first husband. Her second husband was Samuel Smith to whom she was married in 1910. They separated and she resumed her former name.

AMENDMENTS DUE ON BONUS BILL MONDAY

General Debate Closes After Three Days—Urge Absentees to Return.

WASHINGTON, Nov. 25.—(By A. P.)—The big guns on both sides were turned loose in the house battle today over the administration shipping bill. When general debate, which had run for three full days ended tonight, opponents of the measure were ready for the attempt to be made Monday to make it more amendable.

Meanwhile, absent members were urged to return. The assurance given the president last night by Rep. Mondell, Republican leader, that there were votes enough to pass it, put the opposition to work with renewed vigor. Both factions figured closely on the probable vote to be cast Wednesday for and against the bill, opponents asserting that unless the administration was able to line up and count all its absentees, it might be beaten. Telegrams came today from many absentees, seeking leave.

The first real test of strength will be developed Monday when the house is called on to vote on amendments, some of which seek to strike out provisions of the bill.

Notre Dame Blasts Way to 19-0 Victory Over Carnegie

Rockne's Crippled Team Reveals Enough Football to Win by Larger Score Than Did Yale or Penn State—Backfield Stars.

By a Staff Correspondent.

PITTSBURG, Pa., Nov. 25.—The Notre Dame football team won one of its most glorious victories here at Forbes field this afternoon when it "killed" the Carnegie team at the series of 10 plays which kept Paul Costner and other star players out of the fray, completely annihilated the strong Carnegie Tech eleven in a game which was featured by the brilliant driving and passing offense of Coach Rockne's great team. A frozen, snow-covered gridiron, coupled with a strong wind which swept across the playing field throughout the game, even failed to slow up the Irish attack and Coach Rockne's team was buried under a 19 to 0 count.

It was the first appearance of a Notre Dame football team in the Smoky City since 1912 and more than 20,000 shivering spectators were on hand to see them hand the Carnegie team their worst defeat of the season. Rockne's team of youngsters made a wonderful impression on Pittsburgh football followers, few of whom expected the Irish team, which it was to defeat the Tech team by a score larger than that amassed by Yale or Penn State.

Interference Proves Perfect.

Yet the absence of Costner, Lieb, Brown and other great players—the loss of which would have taken the heart out of most teams—only seemed to act as a spur to this team of Rockne's who have never this season, perhaps, performed more brilliantly and consistently. The sterling interference, which has been a feature of the backfield work throughout the season, was even more evident today and it was this factor that enabled the team from South Bend to turn three spectacular marches down the field into touchdowns, while a fourth was prevented only by the calling of time for the first half when the ball reposed on the Tech one-yard line with Notre Dame having still two more downs.

Great as the Irish offense was, the backfield never failed to make matters interesting for the Carnegie team, led by their flying quarterback, Jimmy Robertson, they made consistent and substantial gains. However, after the opening minutes of play, they never seriously threatened the Irish goal, and the result was never in doubt after the Notre Dame team got under way.

Still another of the large group of Notre Dame backs rose to stardom today to take his place alongside of Costner, Don Miller and Jimmy Crowley—all of whom have been "their day" some time or other this season. "Dutch" Bergman, III, was that player today and the young Peru, Ind., back gave a great exhibition of passing, running and defensive work.

Starting the game, along with Thomas, Connell and Livergood, the other members of the "shock" backfield, "Dutch" electrified the crowd before the fray was five minutes old by a brilliant dash of 30 yards which ended on the Tech 25-yard line and directly paved the way for the first touchdown. Bergman continued his great work all during the first half, hurling several passes for long gains, running in great style and also having a large share in the defensive play. Crowley took his place at the start of the second half and also played a stellar game, while "Dutch" returned just before the game ended in time to reel off several more long dashes.

Sharing honors with Bergman, were Elmer Layden, Don Miller and Jimmy Crowley in the backfield, and Regan and Stange in the line, while "Judge" Carberry also performed in the manner which he did before his injury. Carberry played but a short time, as he is being saved for the gruelling Thanksgiving Day game, but his work was of a high standard which augurs well for the future. Elmer Layden, who has been stationed at half all season, was shifted to fullback to fill the gap caused by Costner's loss, and delivered in great style. Layden was able to gain consistently through the line and his work in the future should do much to offset the loss of the brilliant Costner.

Robertson Shows Stuff.

For the Skiboos, Jimmy Robertson was just about the whole show. Weighing less than 150 pounds, this little fellow has all the requisites of a truly great as his work today showed. His brilliant returns of punts and dodging dashes off the tackles several times put his team in an advantageous position, while his seven first downs were the direct results of his individual efforts.

Brunbaugh, the Skiboos' 160-pound fullback, also played a creditable game, never letting up in his efforts to pierce the sturdy Notre Dame line.

Every trick play in the repertoire of Steffen's team was used but the Irish had little difficulty in solving them once the game was well under way. A deceptive double pass was the particular forte of the Carnegie team. This too, failed to succeed after the first few tries.

Notre Dame's first touchdown, which came early in the first quarter, was scored by Harry Stuhldreier, who fell on the ball behind the Tech goal after Layden had fumbled just before crossing the line. The Irish had been placed in a position to score through Bergman's long run and a successful pass, but the Carnegie team had carried it to the four yard line, Rockne sent Stuhldreier and Layden in and the touchdown resulted on the first play.

Whistle Prevents Score.

The second period was scoreless, although a steady driving attack, interspersed with a long forward pass, had put the ball on Tech's one yard line when the whistle blew for the half.

In the third quarter, Miller, Crowley and Layden dashed alternately through the Skibo line for the half.

POWDER EXPLOSION BURNS 14 WORKERS

Accident Caused When Keg Is Thrown on Shorted Storage Battery.

CHEROKEE, Kan., Nov. 25.—(By A. P.)—The explosion of five kegs of powder this morning in the Cherokee Coal company mine near here, resulted in injuries to 14 men, six of whom were seriously burned.

Mine officials expressed the belief that the explosion occurred when Stewart Hamilton, tailor on a motor trip in the mine, threw a 25 pound keg of powder on to a storage battery motor, the keg and four others on the motor igniting, Hamilton and the motor man, Gus Champ, and Dave Miller, were the most seriously burned, but hope is held out for them by physicians.

The two injured were about a mile and a half back in the mine and were just preparing to come to the surface when the explosion occurred.

BELIEVE THAT MOTHER KILLED HER FAMILY

LANCASTER, Ohio, Nov. 25.—(By I. N. S.)—Suspensions of local officials that the deaths of the entire Henderson family—father, mother and four small children—whose lifeless bodies were found in the west side home here last Wednesday morning, were caused by poison administered by Mrs. Florence Henderson, the wife and mother, have been strengthened today by the finding of a number of letters and post cards in the Henderson home.

One letter, dated Sept. 1, last, written by Karakus Redwood, Circleville "dealer" to Mrs. Henderson, announced receipt of \$1 and a "look of 'burnt hair' and contained the declaration that his "new sister" could be cured by the "hindo occult absent method."

Redwood said he effects cures by "thought and prayer."

WILL CONSIDER TURK FRONTIERS AT CONFERENCE

Near East Meet Has Issues Vital to Europe and U. S. Now Before It.

NOTHING DECIDED UPON

Territorial Commission Discusses Problem of Islands in Aegean Sea.

LAUSANNE, Nov. 25.—(By A. P.)—The Turkish frontiers in Asia Minor and general economic and financial problems will be taken up by the Near East conference beginning Monday. Thus the conference is getting closer to affairs of more vital importance to Europe and the United States than the Thracian Tangle.

Nothing has been definitely decided on during the week's debate on Thrace yet the trend of the discussion is interpreted by the delegates as indicating that the conference will not approve of the plebiscite in Western Thrace demanded by Turkey.

Turkey To Get City.

Turkey will probably not get the disputed city of Karagayte, but will be accorded the right to a small station on the railway line.

Lord Curzon made the point that Turkey was not within her rights in asking for a western Thrace plebiscite, and warned the Ottoman government that others might demand a plebiscite in certain parts of Turkey. "How would they appreciate a plebiscite in Constantinople?" he asked.

The Wilsonian plebiscite idea, Lord Curzon continued, was a double edged weapon.

M. Nitchitch, foreign minister of Yugoslavia, delivered a striking address on the necessity of bringing permanent peace in the Balkans by establishing definite frontiers in disputed points without fanciful arrangements calculated to disturb peace anew.

Consider Islands.

The territorial commission took up the problem of certain islands in the Aegean, possession of which is disputed. Turkey announced that she wanted the islands of Imbros and Tenedos, and laid particular claim to Samothrace, because of their nearness to the straits. These are at present occupied by Greece.

Ismet Pasha did not stop there; he said that his country insisted that the Greek islands of Lemnos, Mytilene, Chios, Samos and Nikaia should be demilitarized and placed under an autonomous regime. These were a menace to the Turkish coastline, he contended, and could well be the base of future aggressions against Turkey. The question was submitted to a sub-commission for examination and report.

The island dispute will undoubtedly go over until the straits problem is considered. Because of their close proximity to the straits, Mytilene and Chios are of great importance to Greece. The island dispute will undoubtedly go over until the straits problem is considered. Because of their close proximity to the straits, Mytilene and Chios are of great importance to Greece. The island dispute will undoubtedly go over until the straits problem is considered. Because of their close proximity to the straits, Mytilene and Chios are of great importance to Greece.

NEPHEW OF LOCAL MAN IS BURNED TO DEATH

WINNIPEG, Man., Nov. 25.—Two students, Lawrence Legree, 15, and William A. Taylor, 16, were burned to death today when the famous Jesuit college at St. Boniface was destroyed by fire. The property loss is estimated at \$250,000.

Legree is a nephew of Frank White, Jos. N. McKnight. He is 15 years of age. Legree's brother, who was a student at the same institution, died last winter with influenza. He was 20 years of age.

7 KILLED, 30 HURT IN MINE EXPLOSION

Gas Blast Calls Nurses, Doctors and Ambulances to Mouth of Mine.

SANTA FE, N. M., Nov. 25.—A gas explosion in an anthracite mine No. 4 of the Albuquerque and Cerrillos Coal Co., at Madrid, N. M., 25 miles south of here late this afternoon, resulted in the death and injury of a large number of persons, according to meagre reports reaching here. Local physicians were summoned and a baggage car is being rushed from Albuquerque to take the dead and injured to that city. The number four workings run a mile into the ground but how far down the explosion occurred could not be learned. There had been no accidents at this mine for 20 years.

ALBUQUERQUE, N. M., Nov. 25.—Seven men were killed and at least 30 injured in an explosion in mine No. 4 of the Albuquerque and Cerrillos Coal Co. at Madrid, N. M., late this afternoon, according to Manager Virgil R. McKnight.

Thirteen of the injured were brought to hospitals here and Mr. McKnight said there were 15 or more injured being cared for at Madrid, near where the explosion occurred. Ambulances, doctors and nurses were sent from here and from Santa Fe. The cause of the explosion had not been determined. Mr. McKnight said.

Revokes Divorce



JUDGE CHESTER MONTGOMERY

SHERIFF CAPTURES ESCAPED CONVICT NEAR LOGANSPOUT

Recognizes John Horvath, Who Escaped From Train Enroute to Prison.

Deputy Sheriff Stewart Golt's ability to remember faces yesterday resulted in the capture of John Horvath, 17 years old, who escaped from a moving train while handcuffed with Joe Moore, a negro, early in October when they were being taken from this city to Jeffersonville reformatory.

Golt was returning from Logansport, Ind., at noon after committing an insane man to the asylum there, and on the road just north of that city passed a truck. Golt recognized one of the men on the truck as Horvath and stopped it.

"Come on, John," he shouted, and the escaped prisoner was immediately placed under arrest and returned to the county jail here.

Horvath and Moore were in the custody of Sheriff Korr and Allen when they made their escape. They jumped out of a window in the washroom of the car at a point about halfway between Indianapolis and Jeffersonville. Owing to swampy and thick woods in that section, the prisoners had but little difficulty in eluding a posse which searched for them.

Horvath Related Story.

Horvath related the entire story last night at the county jail.

He said that when the two men went to the front of the car Moore threatened him by saying: "I will kill you if you don't jump with me."

Moore made the proposal to escape after we had changed trains at Indianapolis," Horvath told Golt. "Neither one of us got hurt when we jumped from the moving train. We hurried into the woods and slept there the first night, still handcuffed together. That night I nearly froze to death. The only clothes I had on were a shirt and trousers. I slept very little because I was afraid of Moore. Once I proposed giving ourselves up but Moore threatened and struck me."

Early the following morning we broke the handcuffs with a railroad spike. We then went to another woods and built a fire in order to dry our clothes. It rained all that first night.

Little Freight Train.

"The next night we rode a freight train into Jeffersonville where Moore went to a colored restaurant and managed to get some food and an overcoat for me. The food was the first we had after getting away. Moore said that he was going to New York and I left him when he took the ferry across the river to Louisville."

"The next day I went to Louisville and managed to get a job on a farm six miles from the city."

Horvath worked on the farm until two days ago and then became homesick. He was on his way to his parents' home, four miles west of Edwardsburg, Mich., when Deputy Golt found him.

He had been sentenced from two to 14 years on a charge of burglary. He will be taken to Jeffersonville Tuesday.

URGE HARDING TO SEND WOMAN TO COURT POST

WASHINGTON, Nov. 25.—(By U. P.)—Women's organizations throughout the country are lining up urging Pres. Harding and Attorney General Daugherty to appoint a woman, Miss Florence King, judge of the new federal court for the northern district of Illinois.

The National Women's Association of Commerce today made public a long list of organizations and individuals who had endorsed Miss King.

Miss King and Mrs. Mabel Willard, assistant attorney general, are the only women who have won cases before the Supreme court.

THREE SEVERELY HURT IN MINE EXPLOSION

ALBANY, Ind., Nov. 25.—(By A. P.)—Three men were severely burned, one probably fatally in a dust explosion in mine No. 5 of the Hocking Coal Co. at Hocking, Ind., this afternoon. One rescue party entering the mine was overcome by gas. The mine was not badly damaged.

MONTGOMERY REOPENS DIVORCE CASE AND ORDERS NEW TRIAL ON MRS. TIERNAN'S TESTIMONY

Tiernan's Marriage to Mrs. Blanche Brimmer at Crown Point Rendered Invalid by Ruling of Superior Court—Pros. Jellison Removed From Defending Mrs. Tiernan and Atty. W. E. Miller Appointed.

John P. Tiernan, former law professor, divorced Thursday from Mrs. Augusta Tiernan, balked all day Friday by Illinois laws governing remarriage of divorced persons in his efforts to marry again, married Saturday morning at Crown Point, Ind., to Mrs. Blanche Brimmer of Hansell, la., a widow and mother of two children, had his divorce decree set aside late Saturday afternoon by Judge Chester Montgomery and his second marriage automatically invalidated.

The former law professor's status before the law is now very much in question. Generally, however, lawyers hold the opinion that the vacating of the divorce decree, invalidating his second marriage and making him still the legal husband of Mrs. Augusta Tiernan, does not make his second marriage constitute bigamy, though technically the marriage is bigamous, and that there will probably be no prosecution for bigamy.

Montgomery Reopens Case.

Judge Montgomery's vacating of the divorce decree granted Tiernan last Thursday afternoon came after a day of sensational developments. The summoning of Mrs. Tiernan and lawyers participating in the case to appear before Judge Montgomery came yesterday afternoon, following verification of reports that the law professor had succeeded in securing a marriage license and marrying the woman whose acquaintanceship was developed through the trial of Mrs. Tiernan's paternity charges against Harry Poulin. The decision to reopen the case followed charges by Mrs. Tiernan that Tiernan had lied on the witness stand, had tricked her into agreeing not to contest the divorce proceedings, and had violated his promise to remarry her just as soon as the notoriety in connection with their marital difficulties had somewhat subsided.

Repeats Charges.

Judge Montgomery heard Mrs. Tiernan's statements regarding the alleged "trickery and double crossing," heard her brand Tiernan's sworn testimony of Thursday as utterly false, entered an order vacating the decree, and entered an order for the retrial of the case on Dec. 11.

Mrs. Tiernan, eyes swollen and red from weeping, calmly, but with a noticeable tinge of bitterness and vindictiveness, bared in most intimate detail the state of her relations with Tiernan all during the time the divorce proceedings were pending. She said that in every sense they had lived as man and wife up to the day before the trial of Tiernan's cross-complaint for divorce. Mrs. Tiernan repeated the charges made Friday night that she and her husband had agreed long ago to get a divorce "to satisfy public opinion," and that he had promised her he would remarry her as soon as some of the notoriety in connection with the case had subsided.

Her original complaint, she said, was filed on this promise, and his subsequent cross-complaint and her failure to contest it was agreed to by her only after she had been "brow beaten" into it by Tiernan.

Questions Jellison.

Mrs. Tiernan had previously told Judge Montgomery her story in the judge's chambers, and at the conclusion of the retrial of her story, Judge Montgomery went to his court room. Prefacing that he had read the announcement of the reopening of the case on his own initiative following reports which had come to his attention that the purpose of the law had possibly been evaded, he called on Pros. Jellison to explain why he had not had Mrs. Tiernan in court to contest Tiernan's divorce action. The latter declared to the court that he had acted in his official capacity in that case just as he had acted in numerous uncontested divorce cases, merely making a perfunctory appearance for the state, and that he was aware of nothing that warranted him taking any different action than he had taken.

He said his only interest in the case was that either party should be represented by a lawyer who had not had any connection with the trial of the Poulin-Tiernan paternity hearing. With regard to eighting Mrs. Tiernan's affidavit in her original divorce complaint, Pros. Jellison said he did only what his office permitted him to do.

Mrs. Tiernan on Stand.

Following a lengthy examination of Pros. Jellison by Judge Montgomery, Mrs. Tiernan was told to take the stand and tell her story in court just as she had told it to Judge Montgomery in chambers, and then she reiterated her charges of "trickery and double crossing," and the claim that she and Tiernan had had an understanding that they would remarry after the uncontested divorce decree was granted.

Judge Montgomery then entered on the court records the order vacating the divorce decree granted Tiernan on Thursday, and set Dec. 11 as the date for the new hearing at which time the divorce will be retried, entirely.

In announcing his decision, Judge Montgomery cited a precedent, even decision, conferring upon a court the authority to absolutely control its judgments during the tenure of office of the judge of the court.

Judge Montgomery made clear to those in the court that he believed there was collusion between Tiernan and Mrs. Tiernan in the manner in which the divorce had been secured, but that there was no collusion between the attorneys involved in the case.

Appoints Atty. Miller.

In ordering a retrial of the divorce case Dec. 11, Judge Montgomery assigned Atty. W. E. Miller, an assistant attorney, to represent Mrs. Tiernan in place of Pros. Jellison, stating that "the welfare of the Tiernan children is an essential element in this case."

Both Pros. Jellison and Atty. Sands opposed the setting aside of the decree "in taking recognition only of the uncontested word" of Mrs. Tiernan, but Judge Montgomery ruled that a court may vacate or amend its findings at any time during a term of office, and he set the date for the retrial on Dec. 11 in order that the interested parties might have plenty of time to prepare for the rehearing.

Atty. George Sands, who represented Tiernan when he was awarded the divorce decree, explained his position in the case to Judge Montgomery after the vacating order had been entered.

"Mr. Tiernan came to my office," he said, "and represented to me that he and Mrs. Tiernan had separated. I expressed the opinion to him that separation necessitated living apart of the husband and wife. The professor referred me to a recent court decision, where the Supreme court held that separation could be established although both parties lived under same roof."

"I was told," continued Sands, "that they had been living apart and that he occupied the front bed room, and his wife the rear bed room. I had no reason for doubting my client and endeavored to represent him in this case in good faith not only to him but to myself and this court as well."

Atty. Feltwell, who entered his appearance for Mrs. Tiernan while her complaint was still before Judge Oare, but who withdrew from the case Wednesday evening upon the request of Pros. Jellison to withdraw the original complaint, was in the court room but was not called.

The South Bend Symphony Orchestra will entertain you at the High School Auditorium this afternoon at 5 o'clock with selections which can be appreciated by all. Notre Dame's Glee Club will add much to this musical event. Arrange your time that you may be there early for seats are not reserved. This is not an advertisement for the Symphony Orchestra. They neither need it nor know of this item. Just a way of telling our readers who enjoy music to be there in time to get a seat.